UNITED
NATIONS

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Security Council

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S/1999/688
18 June 1999
ENGLISH
ORIGINAL: ENGLISH, FRENCH
AND RUSSIAN

Canada, France, Germany, Italy, Netherlands, Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, including resolutions 1031 (1995) of 15 December 1995, 1035 (1995) of 21 December 1995, 1088 (1996) of 12 December 1996, 1144 (1997) of 19 December 1997, 1168 (1998) of 21 May 1998, 1174 (1998) of 15 June 1998, and 1184 (1998) of 16 July 1998,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Underlining its commitment to supporting implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto (collectively the Peace Agreement, S/1995/999, annex),

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (SFOR), the Special Representative of the Secretary-General and the personnel of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) including the Commissioner and personnel of the International Police Task Force (IPTF), and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Noting that the States in the region must play a constructive role in the successful development of the peace process in Bosnia and Herzegovina, and noting especially the obligations of the Republic of Croatia and the Federal Republic of Yugoslavia in this regard as signatories to the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Taking note of the declaration of the Ministerial meeting of the Peace Implementation Conference in Madrid on 16 December 1998 (S/1999/139, annex) and the conclusions of its previous meetings,

Noting the reports of the High Representative, including his latest report of 5 May 1999 (S/1999/524),

Having considered the report of the Secretary-General of 11 June 1999 (S/1999/670),

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations,

I

1. Reaffirms once again its support for the Peace Agreement, as well as for the Dayton Agreement on implementing the Federation of Bosnia and Herzegovina of 10 November 1995 (S/1995/1021, annex), calls upon the parties to comply strictly with their obligations under those Agreements, and expresses its intention to keep the implementation of the Peace Agreement, and the situation in Bosnia and Herzegovina, under review;

2. Reiterates that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Former Yugoslavia, in strengthening joint institutions and in facilitating returns of refugees and displaced persons;

3. Reminds the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the International Tribunal includes, inter alia, the surrender for trial of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

4. Emphasizes its full support for the continued role of the High Representative in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations

and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that the High Representative is the final authority in theatre regarding the interpretation of Annex 10 on civilian implementation of the Peace Agreement and that in case of dispute he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn on 9 and 10 December 1997;

5. Expresses its support for the declaration of the Ministerial meeting of the Peace Implementation Conference in Madrid on 16 December 1998;

6. Recognizes that the parties have authorized the multinational force referred to in paragraph 10 below to take such actions as required, including the use of necessary force, to ensure compliance with Annex 1-A of the Peace Agreement;

7. Reaffirms its intention to keep the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 25 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

8. Pays tribute to those Member States who participated in the multinational stabilization force established in accordance with its resolution 1088 (1996), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force;

9. Notes the support of the parties to the Peace Agreement for the continuation of the multinational stabilization force, set out in the declaration of the Ministerial meeting of the Peace Implementation Conference in Madrid;

10. Authorizes the Member States acting through or in cooperation with the organization referred to in Annex 1-A of the Peace Agreement to continue for a further planned period of 12 months the multinational stabilization force (SFOR) as established in accordance with its resolution 1088 (1996) under unified command and control in order to fulfil the role specified in Annex 1-A and Annex 2 of the Peace Agreement, and expresses its intention to review the situation with a view to extending this authorization further as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

11. Authorizes the Member States acting under paragraph 10 above to take all necessary measures to effect the implementation of and to ensure compliance with Annex 1-A of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with that Annex and shall be equally subject to such enforcement action by SFOR as may be necessary to ensure implementation of that Annex and the protection of SFOR, and takes note that the parties have consented to SFOR's taking such measures;

12. Authorizes Member States to take all necessary measures, at the request of SFOR, either in defence of SFOR or to assist the force in carrying out its mission, and recognizes the right of the force to take all necessary measures to defend itself from attack or threat of attack;

13. Authorizes the Member States acting under paragraph 10 above, in accordance with Annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures established by the Commander of SFOR, governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

14. Requests the authorities in Bosnia and Herzegovina to cooperate with the Commander of SFOR to ensure the effective management of the airports of Bosnia and Herzegovina, in the light of the responsibilities conferred on SFOR by Annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

15. Demands that the parties respect the security and freedom of movement of SFOR and other international personnel;

16. Invites all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraph 10 above;

17. Recalls all the agreements concerning the status of forces as referred to in Appendix B to Annex 1-A of the Peace Agreement, and reminds the parties of their obligation to continue to comply therewith;

18. Requests the Member States acting through or in cooperation with the organization referred to in Annex 1-A of the Peace Agreement to continue to report to the Council, through the appropriate channels and at least at monthly intervals;

* * *

Reaffirming the legal basis in the Charter of the United Nations on which the IPTF was given its mandate in resolution 1035 (1995),

III

19. Decides to extend the mandate of UNMIBH, which includes the IPTF, for an additional period terminating on 21 June 2000, and also decides that the IPTF shall continue to be entrusted with the tasks set out in Annex 11 of the Peace Agreement, including the tasks referred to in the Conclusions of the London, Bonn, Luxembourg, and Madrid Conferences and agreed by the authorities in Bosnia and Herzegovina;

20. Requests the Secretary-General to keep the Council regularly informed on the work of the IPTF and its progress in assisting the restructuring of law enforcement agencies and UNMIBH's progress in monitoring and assessing the court system, and to report every three months on the implementation of the mandate of UNMIBH as a whole;

21. Reiterates that the successful implementation of the tasks of the IPTF rests on the quality, experience and professional skills of its personnel, and once again urges Member States, with the support of the Secretary-General, to ensure the provision of such qualified personnel;

22. Reaffirms the responsibility of the parties to cooperate fully with, and to instruct their respective responsible officials and authorities to provide their full support to, the IPTF on all relevant matters;

23. Reiterates its call upon all concerned to ensure the closest possible coordination between the High Representative, SFOR, UNMIBH and the relevant civilian organizations and agencies so as to ensure the successful implementation of the Peace Agreement and of the priority objectives of the civilian consolidation plan, as well as the security of IPTF personnel;

24. Urges Member States, in response to demonstrable progress by the parties in restructuring their law enforcement institutions, to intensify their efforts to provide, on a voluntary-funded basis and in coordination with the IPTF, training, equipment and related assistance for local police forces in Bosnia and Herzegovina;

25. Also requests the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with Annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996 (S/1996/1012), and later Peace Implementation Conferences, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

26. Decides to remain seized of the matter.

UNITED
NATIONS

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S/1999/689
17 June 1999

ORIGINAL: ENGLISH

LETTER DATED 17 JUNE 1999 FROM THE PRESIDENT OF THE SECURITY COUNCIL TO THE SECRETARY-GENERAL

I have the honour to refer to paragraph 18 of your report submitted pursuant to paragraph 10 of Security Council resolution 1244 (1999) (S/1999/672), of 12 June 1999 and, following consultations of the Council, to inform you that the members of the Council approve of the concept of operations for the United Nations Interim Administration Mission in Kosovo outlined in that report.

(Signed) Baboucarr-Blaise Ismaila JAGNE
President of the Security Council

99-17999 (E) 170699

UNITED
NATIONS

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Security Council

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S/1999/690
17 June 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 17 JUNE 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 16 June 1999 from the Deputy Prime Minister and Acting Minister for Foreign Affairs of the Republic of Iraq, Mr. Tariq Aziz, concerning the persistence of the United States Administration in interfering in Iraq's internal affairs in order to undermine the stability and security of the country by sending agents from its intelligence services who use the United Nations agencies working in Iraq as a cover for their activities as spies. The letter requests that you intervene to bring a halt to this practice in the interests of safeguarding the reputation of the United Nations.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

99-17993 (E) 170699 170699

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Annex

Letter dated 16 June 1999 from the Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I have the honour to inform you that the United States Administration is persisting in its unlawful and immoral interference in Iraq's internal affairs with a view to undermining the stability and security of the country by sending agents of its intelligence services who use the United Nations agencies working in Iraq as a cover for their activities as spies. At other times, it sends agents through northern Iraq to infiltrate the country in order to carry out acts of espionage and sabotage. By means of this letter, I should like formally to bring to your attention the case of a man called Stafford Clary, an American citizen who was employed as a coordinator at the Office of the United Nations High Commissioner for Refugees in Iraq during the period from 18 August 1991 to 1992 and who then worked as a coordinator for the United Nations Centre for Human Settlements (HABITAT) at the Office of the Coordinator of the Iraq Programme. Since the person in question was involved in activities that did not correspond to his actual duties as an international civil servant, we asked the Office of the Coordinator of the Iraq Programme in Baghdad, in our memorandum No. 10/MT/92426 dated 30 December 1998, to withdraw him from Iraq.

We have received confirmation that the person in question illegally re-entered Iraq on 1 May 1999, departing on 5 June 1999. He held a series of intensive meetings with representatives of several United Nations agencies working in northern Iraq, particularly the HABITAT organization.

The persistence of the United States Administration in blatantly interfering in Iraq's internal affairs and its use of the United Nations agencies as a cover for this interference is a flagrant violation of the spirit and letter of the Charter of the United Nations and of the norms and precepts of international law. It constitutes an attempt to destroy the reputation of the United Nations as an international organization together with the good name of its personnel.

I therefore request that you intervene to ensure that the representatives and personnel of United Nations agencies and bodies do not cooperate with these spies and informers, in the interests of safeguarding the reputation of the United Nations and its personnel. I further request that you ask the United States Administration to bring a halt to these unlawful practices and to its sending of spies to engage in espionage and interfere in Iraq's internal affairs under the cover of the United Nations.

(Signed) Tariq AZIZ
Deputy Prime Minister
and Acting Minister for
Foreign Affairs

UNITED
NATIONS

S

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17 June 1999

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATE REPRESENTATIVE OF MALAYSIA ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 14 June 1999 from the Permanent Representative of Malaysia to the United Nations stating that Norlin Othman has been appointed alternate representative of Malaysia on the Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

99-18005 (E) 170699

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NATIONS

S

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17 June 1999

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LETTER DATED 17 JUNE 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 17 June 1999, which I have received from the Secretary-General of the North Atlantic Treaty Organization (see annex).

I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

99-18012 (E) 170699

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Annex

Letter dated 17 June 1999 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

In accordance with United Nations Security Council resolution 1244 (1999), I attach for your information an initial report on the international security force (KFOR) operations.

This report covers the initial phase of operation Joint Guardian. Since then, of course, there have been a number of developments, including, in particular, the further deployment of KFOR, talks with the Russian Federation on their participation and the initiation of discussions with Kosovar Albanian representatives on the demilitarization of Kosovar armed groups. I will send you a written report in due course.

I would appreciate your making the report available to the Security Council.

(Signed) Javier SOLANA

Enclosure 1

Initial report on the international security force (KFOR) operations (12-15 June 1999)

1. Status of the deployment of the international security force (KFOR):

(a) KFOR deployment continued throughout Zone 1 (see attached map) 6 days after the military technical agreement was signed. All the brigades of KFOR are now deployed in their initial area of responsibilities. As provided for in the military technical agreement, KFOR deployment in Kosovo is being synchronized with the phased withdrawal of forces of the Federal Republic of Yugoslavia. The withdrawal of the Federal Republic of Yugoslavia forces from Kosovo continues with two thirds of personnel and equipment being cleared of Zone 1. In general, the Yugoslav Army and the Ministry of the Interior Police are respecting the timetable in the military technical agreement, however, logistic and maintenance difficulties may well delay their withdrawal in the days ahead.

(b) The deployment of the Italian and German Brigades to western Kosovo on the border with Albania has reduced tension in the area and allowed the Yugoslav Army/Ministry of the Interior Police to withdraw with minimal interference from the Kosovar Albanian population. Convoys from Pec and Pristina were escorted by KFOR to deter attacks. The deployment of United States forces (Task Force Falcon) has been advanced and they have assumed responsibility for the Kacanik defile. The French Framework Brigade has advanced westward towards the area around Gnjilane. The French Framework Brigade movement has been somewhat constrained by the constant stream of withdrawing Yugoslav Army/Ministry of the Interior Police vehicles, but they have established excellent liaison with the Yugoslav Army and Ministry of the Interior Police in Gnjilane.

(c) Four United Kingdom Armoured Brigade conducted an extensive patrol programme throughout their area of responsibility to include Pristina without incident. The situation remains tense with incidents of violence between Kosovar Albanians and Kosovar Serbs. The visible presence of KFOR troops is proving to deter violence. Overall, the operation is proceeding as planned.

(d) Liaison with Yugoslav Army and Ministry of the Interior Police commanders in Zones 2 and 3 has started in preparation for phase 2 and phase 3 deployments. Yugoslav Army and Ministry of the Interior Police forces are withdrawing at a steady pace, but their operations have been hampered by traffic congestion, a lack of fuel, and concerns over UCK attacks. The future pace of the withdrawal could also be determined by the availability of heavy equipment transport owing to maintenance problems in the Yugoslav forces resulting from the operational pace of the past several months. The Yugoslav Army is currently using about 22 heavy equipment transports to move armour and heavy equipment out of the Province. Federal Republic of Yugoslavia air defence units are continuing to withdraw from Kosovo in compliance with the military technical agreement, but owing to logistical and communications difficulties, they were unable to meet their 12 June deadline. Isolated clashes between departing Yugoslav Army/Ministry of the Interior Police and UCK elements, as well as burning and looting by departing Yugoslav Army/Ministry of the Interior Police

forces continue to be reported. In some cases, Kosovar Albanian villagers fired on withdrawing Federal Republic of Yugoslavia units. In general, the Yugoslav Army and Ministry of the Interior Police are in compliance with the military technical agreement. However, in the western region of Kosovo, they are unwilling to depart until North Atlantic Treaty Organization forces fill the vacuum between them and the UCK. The UCK established a border control point at Globocica along Kosovo's border with the Former Yugoslav Republic of Macedonia.* UCK uniformed personnel stopped traffic and demanded identity cards and raised the Albanian flag in place of the Federal Republic of Yugoslavia's flag.

(e) Monday, 14 June 1999, was marred by three incidents, two of which directly involved KFOR troops. In Prizren, two Serbs riding in a passenger car opened fire on German troops with automatic weapons as they drove towards the German soldiers. In self-defence, the soldiers returned fire, killing the driver and wounding the passenger. One of the German soldiers was slightly injured in the exchange of gunfire. In Pristina, British troops shot and killed a Ministry of the Interior Police policeman after he began shooting at the troops. The policeman was warned to stop, but he ignored the warning. In Stimle, just south of Pristina, an unknown assailant shot two German journalists. One of the journalists was killed instantly and the other died later in a British military facility. In Skopje, despite the efforts of our KFOR medical personnel, KFOR released press statements on the shootings, notified Federal Republic of Yugoslavia authorities and urged all sides to cooperate and avoid confrontation.

2. Overall progress of withdrawal of Serb military, police and paramilitary forces and demilitarization of other forces:

(a) Progress of Serb withdrawal. Yugoslav Army/Ministry of the Interior Police appear to be making every effort to comply with the timelines contained in the military technical agreement, nonetheless, there have been a few technical problems and these may lead to some elements not achieving full withdrawal within the required timelines. As of 14 June 1999, approximately half of the Serbian forces had been withdrawn from Kosovo.

(b) Progress of demilitarization of other forces. To date there has been very little progress in the demilitarization of other forces. On a few occasions, UCK fighters handed over their weapons voluntarily in order to return to their homes.

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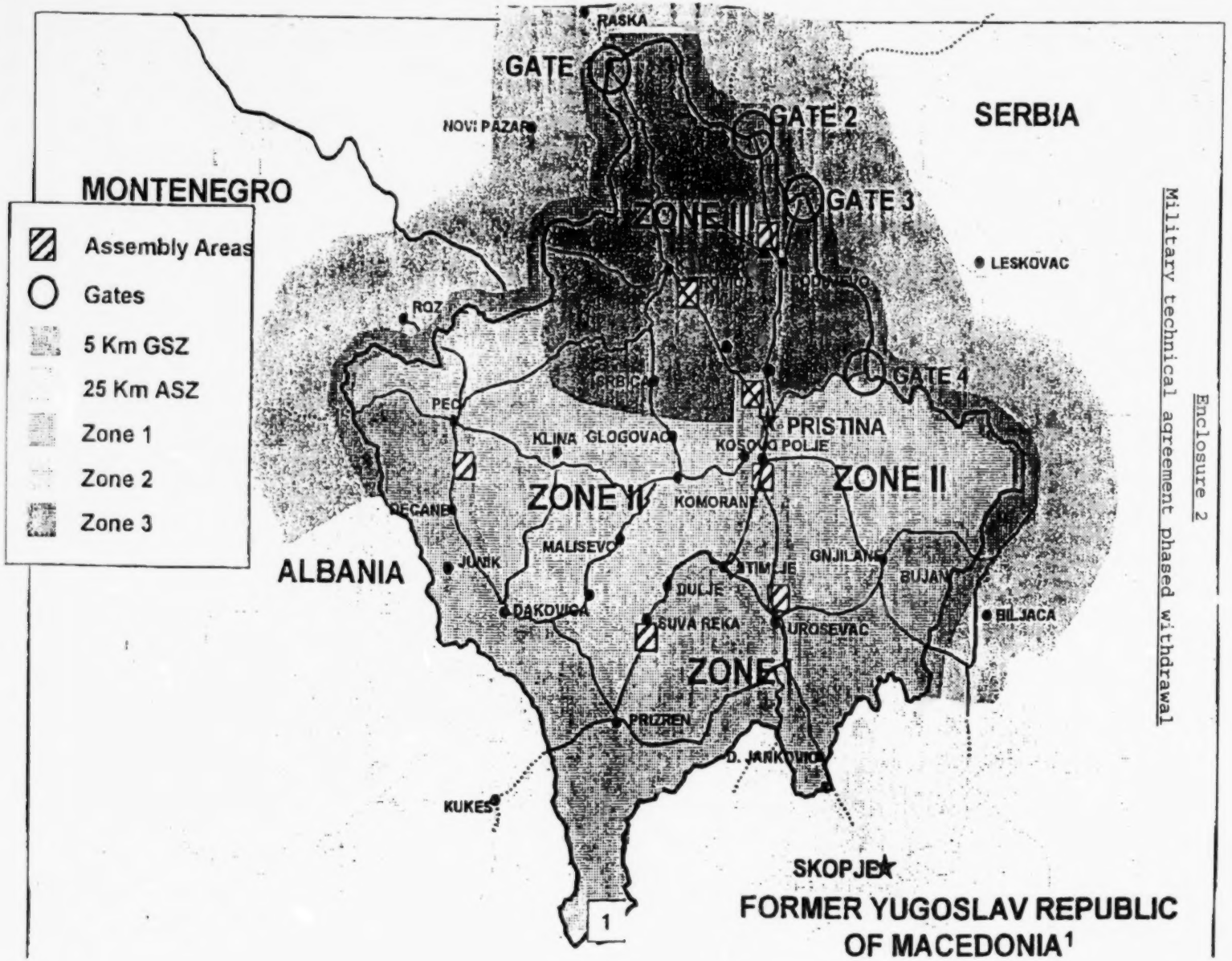
* Turkey recognizes the Republic of Macedonia by its constitutional name.

Enclosure 2

Military technical agreement phased withdrawal



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18 June 1999

ORIGINAL: ENGLISH

LETTER DATED 18 JUNE 1999 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing the present letter to inform the Security Council of the truth in connection with the recent grave situation created on the Korean peninsula.

Beginning on 4 June, naval warships from the south Korean side infiltrated our territorial waters of the West Sea of Korea daily, thus bringing the situation to the brink of war, while hampering our servicemen in their routine duties.

In particular, the south warships bumped against our patrol boats in a deliberate way and, starting at 0912 hours on 15 June, fired thousands of bullets and shells at our warships to imperil greatly our servicemen's lives and severely damage our patrol boats and thereby perpetrated a blatant provocation.

That incident was a premeditated military provocation committed by the south side with the connivance of the United States which, holding a prerogative of the military command over south Korea, is trying to unleash a new war by keying up tension on the Korean peninsula.

This is clearly evidenced by the fact that such provocation was committed in the situation in which the United States, following its war plan called "Operation Plan 5027-98", is now deploying in reinforcement the latest weapons and equipment in south Korea, such as AC-130 ground attack planes, F-15 and F-18 fighter bombers, unmanned planes and precision guided bombs, and is putting on the alert the United States marines in Okinawa and a tactical plane battalion and electronic warfare planes on the United States mainland. In addition, a number of United States fighter planes and warships moved towards these waters after the armed conflicts.

Furthermore, the United States unilaterally walked out of the General Officer's talks at Panmunjom after having proposed to hold such talks, saying that this issue should be resolved through dialogue. Through this, we can clearly understand that the incident was fabricated deliberately and premeditatedly by the United States.

We cannot help but draw attention to the fact that the ill-boding military movement of the United States is timed to coincide with the crisis of Yugoslavia coming to an end.

The touch-and-go situation is now created in the Korean peninsula where a war may break out any time.

Nevertheless, the United States and the south side are distorting the truth to all intents and purposes as if our side is to blame for this incident, while blaring that our side fired first after coming over into the south Korean waters in violation of the Armistice Agreement.

But, they cannot cover up the truth of this incident on all accounts.

According to the 1953 Armistice Agreement (para. 13 (b)), the "allied forces" envisaged controlling only five islands, Paengyong-Do, Taechong-Do, Sochong-Do, Yonpyong-Do and U-Do, lying in our territorial waters. And the water areas of the above islands are where our sovereignty is being exercised lock, stock and barrel.

As regards the "northern boundary line", the United States and the south side unilaterally established it in our water zone against the Armistice Agreement. We have not yet recognized it, nor waived even for a while our sovereignty over that area.

Accordingly, what the United States and the south side argued about the "northern boundary line" is a flagrant encroachment upon the sovereignty of our territorial waters.

There is no justification at all for this.

This notwithstanding, the south side is bustling about "imploring" something in its favour to justify its act of aggression against us.

The prevention of this armed conflict from developing into an all-out war is entirely attributable to our great patience and self-control.

If the danger of war is to be averted and durable peace secured in the Korean peninsula, it is indispensable for the United States to renounce its hostile policy against the Democratic People's Republic of Korea and to put an early end to its dangerous provocations of a new war.

We wish the Security Council to understand clearly the truth about this incident and take measures to end at once the military provocations on the part of the United States and the south side.

I would be grateful if you could have the present letter circulated as a document of the Security Council.

(Signed) LI Hyong Chol
Ambassador
Permanent Representative

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NATIONS

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18 June 1999

ORIGINAL: ENGLISH

LETTER DATED 18 JUNE 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to attach a copy of a letter dated 11 June 1999 (see annex) addressed to me by Svein Aass, Deputy Permanent Representative of Norway to the United Nations, informing me that, in view of the adoption by the Security Council of resolution 1244 (1999), the Organization for Security and Cooperation in Europe consider that further reporting by them under resolutions 1160 (1998) and 1203 (1998) has been rendered redundant.

I should be grateful if the present letter could be brought to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

Letter dated 11 June 1999 from the Deputy Permanent Representative of Norway to the United Nations addressed to the Secretary-General

In the view of the Chairman in Office of the Organization for Security and Cooperation in Europe (OSCE), the adoption by the Security Council of resolution 1244 (1999) authorizing civil and military presences under United Nations auspices in Kosovo, and in particular paragraph 20 of that resolution, renders further reporting to the Secretary-General by OSCE under resolutions 1160 (1998) and 1203 (1998) redundant. The Chairmanship therefore intends to discontinue its reporting on the situation in Kosovo and on the activities of OSCE from this month onward.

(Signed) Svein AASS
Ambassador
Deputy Permanent Representative